



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Feeney, et al.	Examiner:	Ig Tai An
Application No.:	10/676,340	Art Unit:	3687
Confirm. No.:	7155	Docket No.:	577-583
Filing Date:	October 1, 2003		
For:	VIRTUAL WAREHOUSE SYSTEM		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL DECLARATION OF PRIOR INVENTION IN THE UNITED STATES UNDER 37 CFR 1.131 TO OVERCOME CITED PUBLICATION

1. This declaration is submitted in response to the Advisory Action, mailed on December 31, 2008, and the final Office Action, mailed on November 5, 2008, to establish completion of our invention in the United States at a date prior to November 1, 2001, the effective date of United States Patent Application Pub. No. 2003/0083890 to Duncan et al., which was cited by the Examiner. This Declaration supplements the declaration submitted on November 21, 2008 with our Reply to the final Office Action (referred to herein as “our first Declaration”).

2. The persons making this declaration are the inventors.

3. Prior to November 1, 2001, we conceived the present invention and prepared a document titled, "Virtual Warehouse," which describes the virtual warehouse system that is claimed in the present patent application (a copy of relevant portions of this document was attached as Exhibit A of our first Declaration).

4. Prior to November 1, 2001, we constructed a virtual warehouse system based on the design outlined in the "Virtual Warehouse" document (see Exhibit A of our first Declaration) and were testing the system. As part of the test program, we worked with a customer that entered orders using our virtual warehouse system. These orders were processed and shipped to the customer at various locations in the United States.

5. The test program included the creation of invoices, which were sent to the customer by Thomas & Betts prior to November 1, 2001 and contained specific information about the order. After the invoices were processed, Thomas & Betts issued credit invoices to the customer since the original invoices were part of the test program and not actual orders (four of these credit invoices are attached hereto as Exhibit B). In the second column of each credit invoice, appears the following statement: "CREDIT INVOICE _____ ISSUED TO TEST VIRTUAL WHSE CAPABILITY." This statement indicated that the credit invoice was issued for an order placed by the customer as part of the testing of the capability of the virtual warehouse system. All of these credit invoices were dated prior to November 1, 2001.

6. After the test program was completed, we continued to make minor modifications to the virtual warehouse system to address the customer's specific requirements. However, the

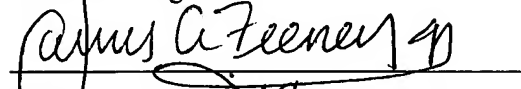
virtual warehouse system that was put into commercial use by Thomas & Betts was essentially the same as the system described in the "Virtual Warehouse" document (see Exhibit A of our first Declaration).

7. From the conception and reduction to practice of the present invention, prior to November 1, 2001, until the provisional application, from which the present patent application claims priority, was filed on December 6, 2002, we worked continuously and diligently on perfecting the present invention.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First inventor: James Feeney

Inventor's signature:


Date: January 19, 2009

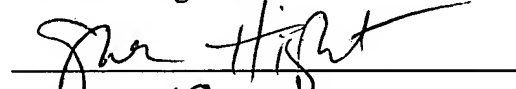
Citizenship: USA

Residence: 2111 West Houston Way
Germantown, TN 38139

Post Office Address: Same as above

Second inventor: Gwen Hight

Inventor's signature:


Date: January 19, 2009

Citizenship: USA

Residence: 5729 Morganton Drive
Olive Branch, MS 38654

Post Office Address: Same as above

2457760	07006217	13484917
SELLING AGENT	CUST. P.O. DATE	PAGE NUMBER
	825114355AA	1 OF 1

SHIPPED TO:

SOLD TO:

REMIT TO:

RAYWARD CA 94544

UNITED STATES

THOMAS & BETTS CORP.
PO BOX 101215
ATLANTA GA 30392-1215

INVOICE TO:

SPECIAL MARKINGS/INSTRUCTIONS

UNITED STATES

CURN: USD

SHIPPING POINT	VIA	BILL OF LADING NUMBER	DATE SHIPPED	FREIGHT TERMS
		77770247402		FREEFOLD

LINE	VENDOR CATALOG NUMBER AND DESCRIPTION	BRD	UPC NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	QTY. UM	UNIT PRICE	PRICE U/M	DISCOUNT MULTIP.	AMOUNT (NET)
** CREDIT MEMO **** CREDIT MEMO ****	CREDIT MEMO **** CREDIT MEMO ****									
001	CREDIT INVOICE 12297700 ISSUED TO TEST VIRTUAL WHSE CAPABILITY	IB	78621087932	180	180		0.76 EA			136.80
002	1.40000000 PVD VM ORDER VALUE ADD	LI	78635800319	1	1		25.00 EA			25.00
003	VIRTUAL WHSE ORDER VALUE ADD FREIGHT OUTBOUND/E MISCELLANEOUS			1	1		24.95 EA			24.95
MERCHANDISE TOTAL										186.75

LEGAL TERMS

TAXES	0.00
HANDLING CHARGES	0.00
INVOICE TOTAL	186.7500
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OPTIONAL MANUFACTURERS DATA

2157842	INVOICE DATE	SELLER REFERENCE NUMBER	INVOICE NUMBER
	CUST. P.O. DATE	CUSTOMER P.O. NUMBER	PAGE NUMBER
SELLING AGENT		8051632166A	1 OF 1

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**	CREDIT MEMO *** CREDIT MEMO *** CREDIT TO CANCEL INVOICE 01772092 ISSUED TO TEST VIRTUAL WHSE CABILITY	***	CREDIT MEMO	***	CREDIT MEMO	***	CREDIT	MEMO	***	CREDIT	MEMO
001	E-Z-MARKER CARD VM ORDER VALUE ADD	1B	78621087964	100		100		57.69 D			57.69
002	VIRTUAL WHSE ORDER VALUE ADD	-1	78635800319	1		1		25.00 EA			25.00
003	FREIGHT OUTBOUND/E MISCELLANEOUS			1		1		6.70 EA			6.70
MERCHANDISE TOTAL											89.39
TAXES											0.00
HANDLING CHARGES											0.00
INVOICE TOTAL											89.39 CR
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2157349	INVOICE DATE	SELLER REFERENCE NUMBER	INVOICE NUMBER
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		390102636AA	1 OF 1

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POMPANO BEACH FL 33064

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LINE	VENDOR CATALOG NUMBER AND DESCRIPTION	URD	UPC NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	QTY. UM	UNIT PRICE	PRICE U/M	DISCOUNT MULTIP.	DATE SHIPPED	FREIGHT TERMS
001	CREDIT MEMO ***** CREDIT MEMO ***** CREDIT TO CANCEL INVOICE 12690099 ISSUED TO TEST VIRTUAL WHSE CAPABILITY A18-8 JING TONGUE TERMINAL VW ORDER VALUE ADD VIRTUAL WHSE ORDER VALUE ADD FREIGHT OUTBOUNDIE MISCELLANEOUS	1B	78621080300	3000	3000		10.66	C		99990247467	PREPAID
002				1	1		25.00	EA			349.80
003				1	1		5.39	EA			25.00
											5.39
MERCHANDISE TOTAL											350.19
TAXES											0.00
HANDLING CHARGES											0.00
INVOICE TOTAL											350.19CR
\$											DISC. IF PAID BY

LEGAL TERMS

OPTIONAL MANUFACTURERS DATA

INVOICE DATE	SELLER REFERENCE NUMBER	INVOICE NUMBER
2157860	00003300	1648475
SELLING AGENT	CUSTOMER P.O. NUMBER	PAGE NUMBER
	80513126AA	1 OF 1

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LINE	VENDOR CATALOG NUMBER AND DESCRIPTION	ORD	UPC NUMBER	QUANTITY ORDERED	QUANTITY B.O.	QUANTITY SHIPPED	QTY. UM	UNIT PRICE	PRICE U/M	DISCOUNT MULTIP.	AMOUNT (NET)
*** *****	CREDIT MEMO ***** CREDIT MEMO *****	*****	CREDIT MEMO *****	*****	CREDIT MEMO *****	*****	CREDIT	MEMO	***** CREDIT	*****	*****
0001	CREDIT TO CANCEL INVOICE V8172062 ISSUED TO TEST VIRTUAL WHSE CAPABILITY	IB	78621087964	100		100		57.69 EA			57.69
0002	E-Z-MARKER CARD WH ORDER VALUE ADD	LI	78635800319	1		1		25.00 EA			25.00
0003	FREIGHT OUTROUNDYE MISCELLANEOUS			1		1		6.70 EA			6.70

										MERCHANDISE TOTAL	89.39

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